



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,632	09/08/2000	Nimrod Megiddo	ARC9-2000-0029-US1	5946

26381            7590            10/28/2004  
LACASSE & ASSOCIATES, LLC  
1725 DUKE STREET  
SUITE 650  
ALEXANDRIA, VA 22314

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/658,632	MEGIDDO ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Jonathan Ouellette	3629

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

THE REPLY FILED 13 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a)  The period for reply expires 3 months from the mailing date of the final rejection.
- b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.  The proposed amendment(s) will not be entered because:
  - (a)  they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  they raise the issue of new matter (see Note below);
  - (c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. 

3.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_. 
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.  The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_. 

Claim(s) objected to: \_\_\_\_\_. 

Claim(s) rejected: 1,2,5,7,9-12,14,15,18 and 19. 

Claim(s) withdrawn from consideration: \_\_\_\_\_. 

JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

8.  The drawing correction filed on \_\_\_\_\_ is a) approved or b) disapproved by the Examiner.
9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s). \_\_\_\_\_. 
10.  Other: \_\_\_\_\_. 

Continuation of 5. does NOT place the application in condition for allowance because:

1. The affidavit filed on 10/13/2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the cited Dustin reference.
2. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Dustin reference to either a constructive reduction to practice or an actual reduction to practice. In order to show diligence the Applicant must account for activities indicating diligence each and every day between conception and reduction to practice.
3. The Applicant has made the argument that the prior art of Dustin fails to provide for the specific limitation of calculating the differences between a new webpage and a previously viewed webpage in terms of associated hyperlinks, wherein ads associated with the new webpage and the previously viewed webpage are displayed at a remote terminal.
4. However, as explained in the final rejection, Dustin does disclose persistently updating hyperlinks (inherent to compare new material with old for updating process) related to the saved advertising material, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the web ads in separate pages than that currently being displayed (C8 L26-46).
5. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included calculating the differences between a new webpage and a previously viewed webpage in terms of associated hyperlinks, wherein ads associated with the new webpage and the previously viewed webpage are displayed at a remote terminal, in the system disclosed by Dustin, for the advantage of providing a method (system, computer-based e-commerce method) for enhancing the effectiveness of on-line advertising, with the ability to increase the effectiveness/efficiency of the system by providing users with updated/non-expired ad information.
6. The Applicant has made the argument that the prior art of Dustin fails to provide for the specific limitation of a bookmark memory storing received ads, wherein the bookmark memory is either permanently maintained or temporarily kept for a predetermined amount of time.
7. However, Dustin does disclose wherein the bookmark memory (Ad Storage) is permanently maintained (Ad Management System)(Fig.1B).
8. Finally, The Applicant has made the argument that the prior art of Dustin fails to provide for the specific limitation of displaying ads from the new page and the previously viewed webpage in one or more windows separate from a window displaying the revisited webpage, and to provide for the specific limitations of retrieving and displaying previous position specific ads upon receiving a selection of a corresponding position of advertising in the revisited webpage.
9. However, as explained above, Dustin does disclose persistently updating hyperlinks (inherent to compare new material with old for updating process) related to the saved advertising material, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the web ads in separate pages than that currently being displayed (C8 L26-46). Dustin further discloses saving and retrieving currently viewed ads (Abstract).